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The Boston Record in its editorial pointers, says:

"Newfoundland's anger is at the boiling point, because the British government accepted the terms of the *modus vivendi* on the fisheries dispute. They claim their rights have been ignored for questions of imperial policy. Americans can be pardoned for smiling, when they remember how Canadians and Newfoundlanders have been disposed to put on airs because they belonged to a world-wide empire, which we have been seriously told was really better than independence. Evidently there is a price to imperial honors."

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Good Stock.

Sch. James W. Parker, Capt. Christopher Gibbs, stocked \$1850 on her recent shacking trip, the crew sharing \$55.

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SMELT FISHING.

Local Anglers Out in Full Force Enjoying Sport.

The usual number of rod and pole fishermen at this time of the year can be daily seen around the wharves fishing for smelts, which have been found in fairly good quantities this fall.

It is excellent sport, but many times a question of luck, for these elusive fish are not always found in the same place. On the last of the ebb of the tide, the turning and the first of a flood tide are good times to catch them, in the early morning or late in the afternoon. Proper gear and bait are also necessary to be a successful smelter.

October 12

ADOPTED RESOLUTIONS.

St. John's Fish Merchants Down on the *Modus Vivendi*.

Archbishop Hawley's Interference Not Favored at Vatican.

A despatch from St. John's, N. F., last evening says:

"The cabinet met tonight to consider the advisability of a policy of pronouncement against the *modus vivendi* between the British and American governments relative to the Newfoundland fishing grounds. Leading fish merchants also met tonight and adopted resolutions adverse to the *modus vivendi*.

"The organ of the opposition blames the premier for the whole trouble, declaring that the people of this colony do not want to quarrel with Americans, but the premier is forcing the fight to obtain revenge upon American fishermen, because his reciprocity project was blocked.

"Official circles deny the statements appearing in a London despatch, to the effect that Newfoundland will not consent to an equitable compromise on the fishery question. They insist that the *modus vivendi* is absolutely inequitable in that it allows Americans to hire colonists, which is a concession exceeding their treaty right and one wholly unwarranted."

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A dispatch from Rome says that it is stated there that the attitude taken by Archbishop Howley in connection with the Anglo-American *modus vivendi* on the Newfoundland fishery question is not meeting with favor at the Vatican, it being considered unwonted interference in political affairs.

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Found Bait and Fish Very Scarce.

Sch. W. E. Morrissey, Capt. Charles Forbes, sailed from North Sydney, C. B., last Monday for the fishing grounds. Capt. Forbes says that during his 22 years experience he has never seen either bait or fish so scarce as it is at present, and says this is his worst trip in all that time.

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DAILY TIMES FISH BUREAU.

Today's Arrivals and Receipts.

- Sch. Eva and Mildred, Maine coast, 50,000 lbs. fresh fish.
- Sch. Frances P. Mesquita, via Boston, 35,000 lbs. fresh fish.
- Sch. Selma, via Boston.
- Sch. Viking, shore.
- Sch. Minerva, shore.
- Sch. Nokomis, shore, 18,000 lbs. pollock.
- Sch. Mettacomet, shore.
- Sloop Defender, shore.
- Sch. Blanche F. Irving, shore.
- Sch. David Sherman, Provincetown, 350 bbls. salt herring.
- Steamer Massasoit, Boston, 415 bbls. salt mackerel.
- Sch. Jubilee, via Boston.
- Sch. Eglantine, Georges, 18,000 lbs. salt cod, 20,000 lbs. halibut.

Today's Fish Market.

- These prices are based on the last known sales.
- Splitting prices of fresh fish; Large Eastern cod, \$1.75; medium do., \$1.25; large Western cod, \$2.62 1-2; medium do., \$1.37 1-2; haddock, \$1.00; cusk, \$1.65; hake, \$1.30; pollock, 65 cts.
- Salt headline Georges codfish, \$5.00 per cwt. for large, \$3.50 for medium.
- Salt Trawl Georges codfish, \$5.00 for large, \$3.50 for medium.
- Salt hake, \$1.50.
- Salt haddock, \$1.75.
- Salt cusk, \$2.25.
- Salt "drift" cusk, \$2.00.
- Salt pollock, \$1.50.
- Salt trawl bank codfish, \$3.50 for large, \$2.62 1-2 for medium.
- Large salt "drift" Georges codfish, \$4.25 medium do., \$3.25.
- Bank halibut, 11 cts. per lb. for white and 8 1-2 cts. per lb. for gray.
- Flitched halibut 7 1-2 cts. lb.
- Large salt mackerel, \$31 per bbl.
- Salt medium mackerel, \$28.00 per bbl.
- Salt tinker mackerel, \$16.00 per bbl.
- Fresh medium mackerel, 13 1-2 cts. each.
- Fresh tinker mackerel, 8 cts. each.
- Large fresh mackerel, 20 cts. each.
- Round pollock, 75 cts. per cwt.
- Shore salt herring, \$2.80 per bbl. clear of the barrel.
- Dressed shore pollock, 80 cts. per cwt.
- Salt dory headline cod, \$3.90 per cwt. for large; \$2.90 for mediums.
- Eastern "halibut" codfish, \$4.37 1-2 per cwt. for large and \$3.25 for small.
- Fresh herring \$2 to \$2.50 per bbl.
- Rimmed medium mackerel, \$30 per bbl.
- Rimmed small mackerel, \$16.50 per bbl.

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Boston.

- Sch. Prisella, 18,000 pollock.
- Sch. John M. Keen, 8000 cod.
- Sch. Mary E. Cooney, 11,000 haddock, 2000 cod.
- Sch. Galatea, 3000 haddock, 1000 cod.
- Sch. Fannie Belle Atwood, 15,000 haddock, 7000 cod, 10,000 hake.
- Sch. Helen B. Thomas, 7000 haddock, 1000 cod, 1000 hake.
- Haddock, \$5 per cwt.; large cod, \$6; market cod, \$3.50; pollock, \$1.75 to \$2.

Mackerel Notes.

The herring torchers at Ipswich are taking quite a few mackerel each night. They are mixed in with the herring schools.

Fishing Fleet Movements.

- Sch. Fannie E. Prescott was at Liverpool N. S., on Tuesday with sails split.
- Capt. George Curie is fitting sch. Speculator for winter haddocking.
- Sch. Elector was at North Sydney, C. B., on Wednesday with 100,000 pounds salt cod.

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CLAIMS A NUISANCE.

William A. Pew Has Suit Against Russia Cement Company.

Injunction Asked To Restrain Operations of Plant.

Deputy Sheriff P. F. Tierney of Salem this afternoon served papers on Reuben Brooks, president and secretary of the Russia Cement Company, in a suit for damages and application for an injunction to restrain the corporation from the continuance of certain work, brought by William A. Pew.

The plaintiff in the case claims that the defendant company owns and operates a glue and fertilizing plant, near property owned by him on Essex avenue, and that in the course of the manufacture of glue and fertilizer, the process used by the company is noisome, injurious and offensive in odor and exhalations, pollutes the air, and is hurtful and dangerous to the health of the plaintiff and his family, and injurious to his estate, and that same is a nuisance and interferes with the peaceful enjoyment of his property. He likewise claims that the teaming of the material for the glue and fertilizer through a private way is a nuisance.

The Russia Cement Company is one of the richest corporations in the state, incorporated in 1876, and organized in 1882, with \$100,000 capital. The plant has increased from its original buildings, until it is mammoth in its proportions, and the business has grown rapidly and the profits are said to be large.

Col. William A. Pew, Jr., appears for his father in the action.

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BOND WILL RESIST.

Enforcement of Modus Vivendi To Be Legally Fought.

Premier's Organ States Position of Newfoundland Ministry.

According to all reports from St. John's N. F., Premier Bond and his ministry are determined to fight the modus vivendi to the last ditch.

The Colonial cabinet, at its meeting Thursday night to discuss the fishery situation, decided, it is understood, to resist to the fullest possible legal extent the enforcement of the modus vivendi arrived at by the British and the American governments.

The Telegram, the premier's organ, published an article yesterday in which it is said the modus vivendi is objectionable because it attempts to grant to the Americans rights additional to those conferred by the treaty of 1818; because it attempts to surrender the colony's right to legislate for the preservation of the herring fishery; because it attempts to nullify the colony's existing laws which have in view the same object; because it attempts to abrogate part of the foreign fishing vessels act of 1906, and because it attempts to violate the bait act.

The article predicts that the Downing street authorities will be unable to enforce the modus vivendi, which has against it the law of the land, the wishes of the government and the sentiment of the colony.

The merchants of St. Johns in resolutions adopted Thursday night, with but one dissentient, protest against the modus vivendi as a gross violation of the rights of a self-governing colony.

The St. John's N. F., Telegram says: "Once more Newfoundland has been sacrificed. This time to Gloucester fishermen. The Newfoundland government and people have been ridden over roughshod and a modus vivendi has been made, judging from today's message. This has been done against the advice and in spite of the protests of the Newfoundland government. It now behooves the Newfoundland government to resist this bureaucratic action and to carry out stringently the foreign fishing vessels act of 1905 and the bait act, which the Downing street officials cannot override. The law of the land is still supreme in the realms of the King."

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AFTER TAINTED FISH.

Cambridge Inspector Went Out on Warpath Yesterday.

Inspector of Meat and Provisions Joseph J. Johnson of Cambridge went on the warpath after fish dealers yesterday, and seized 1800 pounds of haddock and four and one-half barrels of herring. These were burned after kerosene had been poured over them. The haddock were destroyed for fear that they might contain glanders.

Mr. Johnson located a fish peddler, who was filling his fish tanks with water from a horse-watering trough. Fearing that the water might be tainted with glanders he ordered it destroyed and saw that this was carried out. Another dealer had the herring which were in bad condition.

A third dealer was spied on Columbia street, but when he saw Johnson approaching he whipped up his horse and escaped over Harvard bridge.

NEW LOBSTER LAW.

Maine Wardens Advocate Not Measuring Tail.

Portland is having trouble about the short lobster law. The wardens have devised a new plan for measuring, to which the lobster fishermen are opposed. Instead of measuring from nose to tip of tail, it is proposed to measure from nose to the base of tail, and make a new law to fit this, the wardens claiming that it is possible to stretch a lobster's tail and that it is done.

The lobster fishermen will fight against any such law because under the present arrangement, if a lobster falls a trifle short of the required 10 1-2 inches his tail can often be stretched to make him the required length. The wardens have much trouble with such cases, and it is hard to get a case in many instances where they know well enough that the lobsters as taken from the water were shorter than the law allows.

The dealers, however, seem for the most part to favor the new plan, and if the sentiment is strongly in favor, a determined effort will be made to get the old lobster law for the measurement of "shorts" repealed by the legislature and the new one adopted.

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Big Herring Fishing.

The little herring seiners and torchers landed 1000 barrels of fresh herring at Portland yesterday, a remarkable catch and the largest of the season.

Pollock Have Struck.

It looks as if the pollock schools had struck on off here and the first big trip of the season came in last night, sch. Mary A. Gleason arriving with 40,000 pounds.

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LANDED FRESH BAIT.

Action May Make Trouble for Sch. S P. Willard.

Vessel Getting It Refused Right To Put It on Board.

Fishing men at North Sydney, C. B., believe that Capt. Louis Wharton of sch. S. P. Willard has got the craft's owners in trouble with Canadian authorities by loaning two dory loads of bait to Capt. John J. Carroll of the fresh halibuting sch. Massachusetts.

At North Sydney, C. B., where it was done, it is claimed the transferring of bait or supplies is in direct controvention of Canadian laws.

A few days ago several Gloucester fishing vessels arrived at North Sydney, some for ice, some for supplies, all of them looking for bait. For some reason Capt. Wharton sold or loaned or gave two dory loads of bait to the Massachusetts, and then set sail for the fishing grounds.

The men in the dories rowed to the head of Ingraham's wharf and one of the crew of the Massachusetts went to the custom house and notified the officials of what they had done, asking if they were at liberty to land the bait on board their vessel.

This request was refused, and the telegraph wires were at once set in motion in communication with Ottawa authorities.

DAILY TIMES FISH BUREAU.

Today's Arrivals and Receipts.

Sch. Mary A. Gleason, 40,000 pollock.
Sch. Richard J. Nunan, Maine Coast, 100,000 lbs. fresh fish.
Sch. Hope, via Boston.
Sch. Helen B. Thomas, via Boston.
Sch. Rozella, Southwest Harbor, Me., 700 qtls. cured fish.
Sch. Triton, Boothbay, Me., 1000 qtls. cured fish.
Sch. Kate C. Pray, Tremont, Me., 1000 qtls. cured fish.
Sch. Northern Eagle, Provincetown, salt herring.
Sch. Hiram Lowell, Banks, 175,000 lbs. salt cod.

Today's Fish Market.

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Spitting prices of fresh fish; Large Eastern cod, \$1.75; medium do., \$1.25; large Western cod, \$2.62 1-2; medium do., \$1.37 1-2; haddock, \$1.00; cusk, \$1.65; hake, \$1.30; pollock, 65 cts.

Salt handline Georges codfish, \$5.00 per cwt. for large, \$3.50 for medium.

Salt Trawl Georges codfish, \$5.00 for large \$3.50 for medium.

Salt hake, \$1.50.

Salt haddock, \$1.75.

Salt cusk, \$2.25.

Salt "drift" cusk, \$2.00.

Salt pollock, \$1.50.

Salt trawl bank codfish, \$3.50 for large, \$2.62 1-2 for medium.

Large salt "drift" Georges codfish, \$4.25 medium do., \$3.25.

Bank halibut, 11 cts. per lb. for white and 8 1-2 cts. per lb. for gray.

Flitched halibut 7 1-2 cts. lb.

Large salt mackerel, \$31 per bbl.

Salt medium mackerel, \$28.00 per bbl.

Salt tinker mackerel, \$16.00 per bbl.

Fresh medium mackerel, 13 1-2 cts. each.

Fresh tinker mackerel, 8 cts. each.

Large fresh mackerel, 20 cts. each.

Round pollock, 75 cts. per cwt.

Shore salt herring, \$2.80 per bbl. clear of the barrel.

Dressed shore pollock, 80 cts. per cwt.

Salt dory handline cod, \$3.90 per cwt. for large; \$2.90 for mediums.

Eastern "halibut" codfish, \$4.37 1-2 per cwt. for large and \$3.25 for small.

Fresh herring \$2 to \$2.50 per bbl.

Rimmed medium mackerel, \$30 per bbl.

Rimmed small mackerel, \$16.50 per bbl.

Boston.

Sch. Hattie R. Knowlton, 400 haddock, 100 cod, 3000 pollock.

Sch. Sylph, 2000 cod, 1000 pollock.

Sch. Cosmos, 1000 cod, 200 hake, 2000 pollock.

Haddock and cod, \$5 per cwt.; pollock, \$2.

Fishing Fleet Movements.

Sch. Ralph Russell was at Shelburne, N. S., on Wednesday and cleared.

Schs. Agnes, Athlete and Blanche were at Port Hawkesbury, C. B., on Wednesday.

A strong southeasterly gale prevailed all day. Schs. Preeceptor and Argo were also at Port Hawkesbury, C. B., on Wednesday.

Sch. Electric Flash was at Isle au Haut yesterday.

Schs. Senator and Bohemia, the latter with 90,000 lbs. salt cod, were at North Sydney, C. B.